

Jeffrey S. Abraham (JA-2946)

Lawrence D. Levit (LL-9507)

ABRAHAM, FRUCHTER & TWERSKY, LLP

One Penn Plaza, Suite 2805

New York, New York 10119

Tel: (212) 279-5050

Fax: (212) 279-3655

Proposed Lead Counsel for Plaintiffs

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

----- X

VIVIAN AND LEONARD JUDELSON, as
Trustees of the VIVIAN JUDELSON
REVOCABLE TRUST DATED 10/9/95,
and VIVIAN S. JUDELSON CONTRIBUTORY
IRA, Individually and On Behalf of All Others
Similarly Situated,

Plaintiffs,

vs.

TARRAGON CORPORATION, WILLIAM S.
FRIEDMAN, ROBERT P. ROTHENBERG
and ERIN D. PICKENS,

Defendants.

----- X

HENRY NELSON, Individually and On Behalf
of All Others Similarly Situated,

Plaintiff,

vs.

TARRAGON CORPORATION, WILLIAM S.
FRIEDMAN, ROBERT P. ROTHENBERG
and ERIN DAVIS PICKENS,

Defendants.

----- X

ECF Case

Civil Action No. 07-7972

NOTICE OF MOTION

Civil Action No. 07-08438

----- X
PAUL BERGER, Individually and On Behalf
of All Others Similarly Situated,

Plaintiffs,

Civil Action No. 07-8689

vs.

TARRAGON CORPORATION, WILLIAM S.
FRIEDMAN, ROBERT P. ROTHENBERG
and ERIN D. PICKENS,

Defendants.
----- X

PLEASE TAKE NOTICE that upon the attached Affidavit of Jeffrey S. Abraham and the accompanying memorandum of law, Plaintiff Paul Berger will move this Court, on December 5, 2007 at 10:00 a.m. or as soon thereafter as this matter can be heard, before the Honorable P. Kevin Castel, in Courtroom 12C, at the United States Courthouse, 500 Pearl Street, New York, New York, pursuant to Fed. R. Civ. P. 42(a) and the Private Securities Litigation Reform Act of 1995, for an order consolidating all related actions, for Paul Berger's appointment as lead plaintiff and for the appointment of Abraham, Fruchter & Twersky, LLP as lead counsel and for such other relief as the Court may deem just and proper.

Dated: November 13, 2007

ABRAHAM, FRUCHTER & TWERSKY, LLP

By: 

Jeffrey S. Abraham (JA-2946)

Lawrence D. Levit (LL-9507)

One Penn Plaza, Suite 2805

New York, N.Y. 10119

Telephone: (212) 279-5050

Facsimile: (212) 279-3655

Proposed Lead Counsel for Plaintiffs